

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY STOCKHOLM PRIORITY

LIMITED OFFICIAL USE STATE 030241

E.O. 11652: N/A

TAGS: PFOR, CPRS, SW

SUBJECT: EXTRADITION - LARRY D. PINKNEY

1. DEPARTMENT HAS RECEIVED FOLLOWING LETTER FROM SAN FRANCISCO D.A.:

2. "IN REPLY TO YOUR LETTER OF JANUARY 31, 1975, THIS OFFICE WILL NOT FORWARD TO SWEDEN THE TRIAL TRANSCRIPT CONCERNING LARRY J. PINKNEY. THE TRIAL JURY, BASED UPON THE INDICTMENT OF THE COUNTY GRAND JURY, BY A UNANIMOUS VOTE, CONVICTED THE DEFENDANT AFTER A FULL AND FAIR HEARING. THIS MATTER IS NOT SUBJECT TO REVIEW BY THE COURT OF ANOTHER JURISDICTION ON THE BASIS OF A TRIAL DE NOVO. MR. PINKNEY HAS THE OPPORTUNITY FOR APPEAL WHEN RETURNED TO THIS JURISDICTION.

3. "THE REQUEST FOR EXTRADITION WHICH WAS FORWARDED IN THIS CASE CONTAINED A FULL TRANSCRIPT OF THE TESTIMONY GIVEN BEFORE THE GRAND JURY IN ADDITION TO AFFIDAVITS OF THE TRIAL ATTORNEY AND THE INVESTIGATING POLICE OFFICERS. IT IS THE POSITION OF THIS OFFICE THAT THE GOVERNMENT OF SWEDEN HAS ADEQUATE INFORMATION UPON WHICH TO MAKE ITS DECISION CONCERNING THIS REQUISITION."

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4. FYI: ASSISTANT D.A., IN TELCON WITH DEPARTMENT OFFICER LAST WEEK, INFORMED DEPARTMENT THAT TRIAL TRANSCRIPT IS IN MOST INSTANCES REPETITIVE OF GRAND JURY TESTIMONY, AND THAT CITY DOES NOT WANT TO BEAR ADDITIONAL EXPENSE OF TRANSLATION. HE SAID IF SWEDISH COURT WISHES TO BELIEVE PINKNEY AND ALLOW HIM TO REMAIN THEY ARE WELCOME TO HIM. HE SOUNDED CLEARLY FED UP WITH SWEDISH AUTHORITIES. HE ALSO TOLD DEPTOFF THAT SWEDISH JOURNALIST HAS BEEN TO SAN FRANCISCO ABOUT STORY, AND D.A. HAS PROVIDED HIM FULL ACCESS TO ALL COURT DOCUMENTS AND HAS FACILITATED JOURNALIST'S CONTACTS WITH WITNESSES AND ATTORNEYS. JOURNALIST TOLD D.A., AFTER REVIEWING MATERIALS AND CONDUCTING INTERVIEWS, THAT HE DID NOT BELIEVE PINKNEY'S CLAIMS OF RACIAL AND POLITICAL PERSECUTION, AND WOULD BE FILING STORY FAVORABLE TO D.A. END FYI. INGERSOLL

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